

BILL NO. X-72-12-09

ANNEXATION ORDINANCE NO. X- 02-74

AN ORDINANCE annexing certain territory to the City of Fort Wayne and including the same in Councilmanic District No. 2, and repealing certain Annexation Ordinance.

WHEREAS, since the passage of Annexation Ordinance X-03-68, certain annexation statutes were enacted by the 1969 General Assembly of Indiana, which are more effective than prior statutes; and

WHEREAS, the City of Fort Wayne is desirous of annexing the territory covered in Ordinance X-03-68 pursuant to the said 1969 annexation statutes, rather than under prior annexation statutes:

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to and made part of the corporation of the City of Fort Wayne, Indiana, to-wit:

Parts of West Half of Sections 28 and 33, and N.E. 1/4, Section 32 and S.E. 1/4, Section 29, Township 31 North, Range 13 East.

Commencing at the intersection of the North right-of-way line of State Boulevard (Hicksville Road) and the West right-of-way line of Reed Road, said line being the existing corporate limits; thence East on said North right-of-way line of State Boulevard to its intersection with the East line of the West half of Section 33, Township 31 North, Range 13 East; thence North on the East line of the West half of Sections 33 and 28, Township 31 North, Range 13 East, to its intersection with the South right-of-way line of Trier Road; thence West on said South right-of-way line of Trier Road to the intersection of the West right-of-way line of Reed Road; thence South on said West right-of-way line of Reed Road to the North right-of-way line of the aforementioned State Boulevard the point of beginning, excluding, the West 816.6 feet of the North 427 feet of the Southwest 1/4 of Section 28, Township 31 North, Range 13 East, of Allen County, Indiana, containing approximately 313 acres.

SECTION 2. That said annexed territory shall be part of Councilmanic District No. 2 of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.

SECTION 3. That the effective date for this annexation is January 1, 197<sup>6</sup>.

SECTION 4. That Annexation Ordinance X-03-68 is hereby repealed.

SECTION 5. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and sixty (60) days after legal publication, but shall not take effect until January 1, 19 76.

Vivian J. Schmidt  
Councilman

Approved as to form  
and legality

Jim H. Lagen  
Associate City Attorney

Read the first time in full and on motion by V. Schmidt seconded by

Mrs. Annakation and duly adopted, read the second time by title and referred to the Committee on Annakation (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City County Building, Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, at \_\_\_\_\_ o'clock

P.M., E.S.T.

Date:

12/5/72

Charles W. Talarico  
CITY CLERK

Read the third time in full and on motion by Stier

seconded by V. Schmidt and duly adopted, placed on its passage.

Passed (~~lost~~) by the following vote:

AYES 9, NAYS 0, ABSTAINED \_\_\_\_\_, ABSENT \_\_\_\_\_ to-wit:

Burns	<u>X</u>	_____	_____	_____
Hinga	<u>X</u>	_____	_____	_____
Kraus	<u>X</u>	_____	_____	_____
<u>Mrs. Nuckols</u>	<u>X</u>	_____	_____	_____
<u>Nuckols</u>	<u>X</u>	_____	_____	_____
<u>Messrs</u>	<u>X</u>	_____	_____	_____
Schmidt, D.	<u>X</u>	_____	_____	_____
Schmidt, V.	<u>X</u>	_____	_____	_____
Stier	<u>X</u>	_____	_____	_____
Talarico	<u>X</u>	_____	_____	_____

Date

6-11-74

Charles W. Talarico  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as ~~Zoning~~

Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. X-02-74

on the 11th day of June, 19 74.

ATTEST:

(SEAL)

Charles W. Talarico  
CITY CLERK

Samuel J. Talarico  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of

June

, 1974

-at the hour of 12:00 o'clock AM, E.S.T.

Charles W. Talarico  
CITY CLERK

Approved and signed by me this 12th day of

June

, 1974

at the hour of 2:00 o'clock P. m., E.S.T.

Sam H. Talarico  
MAYOR

held  
1-8-75  
Clyde  
Rwood

Bill No. X-72-12-09

REPORT OF THE COMMITTEE ON ANNEXATION

We, your Committee on Annexation to whom was referred an Ordinance  
annexing certain territory to the City of Fort Wayne  
and including the same in Councilmanic District No. ,  
and repealing certain Annexation Ordinance.

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance                      PASS.

Eugene Kraus, Jr. - Chairman

Paul M. Burns - Vice-Chairman

Donald J. Schmidt

Vivian G. Schmidt

John Nuckols

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Paul M. Burns - Vice-Chairman

Donald J. Schmidt

Eugene Kraus, Jr.

James S. Stier

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the same in Councilmanic District No. 2, and repealing certain  
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have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance DO PASS.

James S. Stier - Chairman

Vivian G. Schmidt - Vice-Chairman

Donald J. Schmidt

Eugene Kraus, Jr.

Paul M. Burns

CONCURRED IN

DATE 6-11-74 CHARLES W. WESTERMAN, CITY CLERK

GLENWOOD PARK EXTENDED ANNEXATION STUDY

Bill Number X-72-12-09

The area proposed for annexation by Bill Number X-72-12-09 meets the criteria for annexation as established by the Fort Wayne City Council & Indiana Statute as follows:

1. THE AREA PROPOSED FOR ANNEXATION MUST HAVE AT LEAST ONE-EIGHT (1/8) OR 12% OF ITS AGGREGATE EXTERNAL BOUNDARIES COINCIDE WITH THE BOUNDARIES OF THE ANNEXING CITY:

This area is contiguous to the city on its western and southern boundary for a distance of approximately 8,700 feet. With a total perimeter length of approximately 15,600 feet this represents 55% of its boundary.

2. THE AREA PROPOSED FOR ANNEXATION MUST HAVE A UNITY OF INTEREST WITH THE MUNICIPALITY:

A large percentage of the residents in the area have municipal services at the present time. In addition a large percentage of the residents in the area work, shop and spend much of their recreational time inside the City of Fort Wayne. The 1970 Census has defined an 'urbanized area' around Fort Wayne and this proposed annexation falls within this area.

3. THE ADVANTAGES TO THE PROPOSED ANNEXATION MUST OUTWEIGH THE DISADVANTAGES:

Residents of the area would experience an increase in taxes. This increase, however, would be more then offset by the provision of more services to the area.

4. THE ADVANTAGES TO THE CITY MUST OUTWEIGH THE DISADVANTAGES:

The city would continue to realize a normal, active growth. All projectoons indicate that the Fort Wayne urbanized area is and will continue to grow into the foreseeable future. This growth can only be accomodated by the provision of additional utility service and by improving present transportation facilities. The cost of these services must be borne by those who demand it. Annexation is one way of insuring that the costs of this growth are distributed equitably.

To insure that the proper planning of these additional services is done thoroughly and effeciently, areas such as this must be included.

5. THE DEFICIT OF INCOME AGAINST EXPENSE TO THE CITY MUST NOT BE UNREASONABLE:

Through annexation the City would realize a net gain in income. The excess of revenue over expenditure would total \$5,043.00 per annum.

6. THE CITY HAS DEVELOPED A FISCAL PLAN TO FURNISH THE TERRITORY, WITHIN A PERIOD OF THREE (3) YEARS, GOVERNMENTAL AND PROPRIETARY SERVICES:

At the present time, a large percentage of this area is either being served by city water and sanitary sewers. Other city services, such as police and fire protection, road maintenance, garbage collection, etc., would commence upon annexation.

7. THAT THE RESIDENT POPULATION IS EQUAL TO AT LEAST THREE (3) PERSONS PER ACRE, OR THAT THE LAND IS ZONED FOR COMMERCIAL, BUSINESS OR INDUSTRIAL USES, OR THAT SIXTY PERCENT (60%) OF THE LAND IS SUBDIVIDED:


Since the present population of the area is approximately 1,911 persons, this would exceed the three (3) persons per acre set forth on the 313 acre annexation.

8. THE CITY MUST DESIRE TO ANNEX THE AREA:

This area represents a normal, logical extension of the city and has the potential for absorbing needed growth;

Based upon the above, it is the finding of the Planning Staff that the area proposed for annexation by Bill Number X-72-12-09 meets the criteria for annexation and, therefore, should be returned to the Common Council with the recommendation that it DO PASS.

Respectfully submitted;

  
Dr. Jerry D. Boswell  
Chairman  
Subdivision and Annexation Committee



# GLENWOOD

FORT WAYNE  
STATE  
HOSPITAL

# PARK

# EXTENDED

*Annexation Report*

Prepared By Rich Kunkel

## PLANNING COMMISSION STAFF

Annexation Study

At the regular meeting of the Common Council held December 5, 1972, the proposed ordinance annexing territory to the City of Fort Wayne was introduced and referred to the Committee on Annexation.

The boundaries of the area described in the pending ordinance are shown by the accompanying map.

## 1. Basic Data:

A. LOCATION:

Bounded on the east by a line parallel to and approximately 1/2 mile east of Reed Road bounded on the south by State Boulevard. Bounded on the west by Reed Road and bounded on the north by Trier Road except the 8 acre plot of land lying within the southeast corner of Trier Road and Reed Road.

B. SIZE:

Approximately 313 acres or .48 square miles.

C. POPULATION:

Using the 1970 census tract figures for this area, a factor of 3.8 persons per housing unit was derived, so the estimated population of this area is approximately 1,911 persons.

D. BUILDINGS:

<u>TYPE</u>	<u>NUMBER</u>	<u>CONDITION</u>
Residential	451	Good to Excellent
Apartment	52 units	Good
Condominium	40 units	Excellent
Total number of housing units	543	Excellent
School	1	Excellent
Fire Station	1	Excellent

E. STREETS & ROADS:

<u>JURISDICTION</u>	<u>NUMBER OF MILES</u>	<u>CONDITION</u>
County	3.57	Good to Excellent

F. ZONING:

<u>JURISDICTION</u>	<u>ZONING</u>	<u>NO. OF ACRES</u>
City of Fort Wayne	"RA"	313

G. LAND USE (Present):

<u>LAND USE</u>	<u>PRESENT OCCUPANCY</u>	
<u>TYPE</u>	<u>ACRES</u>	<u>%</u>
Residential	164.95	53
School	15.65	5
Fire Station	.96	.2
Apartment	2.8	1
Condominium	4.27	1
Streets & Roads	21.69	7
Vacant Land	99.53	31.8
Swimming Club	<u>3.15</u>	<u>1</u>
	313	100

H. LAND USE PLAN:

TYPE:

Low Density RESidential

II. Growth Potential:

Located approximately in the center of the burgeoning residential northeast, Glenwood Park Extended is accessible by numerous arteries leading in every direction; Trier, Reed, Vance, and State directly provide access while Maplecrest, Lake and the Bypass are nearby.

Glenwood Park Extended lies in an area where land use changes present minimal environmental problems. Soils maps indicate that this area would be well-adapted to urban uses is moderate erosion control and drainage hazards are corrected. Community sewers have already been provided. Topography has not been an obstacle to development.

The land on three sides of this annexation area is fully developed upon its intended framework of low-density, single family residential subdivisions. The majority of this development has taken

place in the last 5-15 years. Only the land contiguous to the east is undeveloped - farms occupy this land. Future residential development of this land, as well as the underdeveloped land within the annexation area, would be in conformance with present zoning and land-use policies.

The 1963 Master Plan proposes low density residential uses. The existing development character of this area generally conforms to low density residential use. Present information substantiates uses indicated in the 1963 Master Plan.

The median income of families (1969) in the surrounding area of Glenwood Park Extended (X-72-12-09) is \$16,511. This is \$6,000. more than the city wide median income.

III

#### Urban Services:

##### A. WATER

All platted sub-divisions and streets within the area are presently served with an adequate supply of city water with the exception of Charlotte Avenue, which extends eastward from the Reed Road. Provisions have been made by the installation of a 6 inch connection at Reed Road, for an extension eastward on Charlotte Avenue, as well as a second connection on Berkley Drive at Eastwick Drive to make service available to this street at such time as the property owners should petition for it and make arrangements for paying the cost, in accordance with normal rules and regulations. Also note, there is a 35% surcharge on water service for areas outside the city limits. Upon annexation the surcharge on water service will be eliminated.

##### B. SEWER

Sanitary sewer service for the area can be improved with a new sewer estimated to cost about \$60,000. and will provide for the elimination of a lift station on Maxim Drive south of Vance Avenue. Storm sewer service is provided for in all developed areas. Also note, there is a 100% surcharge for sewer service for areas outside the city limits. Upon annexation the surcharge on sewer service will be eliminated.

##### C. STREETS & ROADS

All streets within the annexation area are in fair to good condition with the exception of Camelot Drive which was rated poor.

The cost for the Improvement of Reed Road is \$1,188,590.00. Under present City-County responsibilities the City's cost would be \$95,221.00 and the County's is \$1,093,369.00.

Upon annexation, the entire length of the project will be included within the city limits and the entire cost will be borne by the City. Using the present formula for local matching of federal highway funds, the City would pay 30% or \$356,577. of the total cost. At present, there is no firm schedule for the improvement but their capital cost must be considered in any long term cost benefit analysis.

Maintenance - The average cost to provide this service is \$2,100.00 per mile. This area contains approximately 3.57 miles of streets with an annual maintenance cost of \$7,497.00.

D. POLICE PROTECTION

On the basis of one (1) officer per 500 persons, it would cost approximately \$66,664.00 to provide service to this area.

E. FIRE PROTECTION

The following report was submitted by Thomas A. Heckman, Fire Chief: "We have studied the proposed annexation and feel there would be no additional costs to our department provided we extend service from our existing facilities".

F. STREET LIGHTING

If the residents of this area petition the Board of Works to install street lighting, approximately 103 would be needed to light the area at a cost of approximately \$66,950 with concrete poles and underground wire plus \$1,297.80 per year for energy and maintenance.

G. TRAFFIC CONTROL

The following report was submitted by Walt Stout, Traffic Engineering:

A study has been made on Glenwood Park Extended area regarding the updating of existing traffic control signs and for additional signs that were deemed necessary for future traffic control improvements. It was found that 45 traffic signs and posts would need to be installed at a cost of \$1,360.65.

H. GARBAGE COLLECTION

Under the terms of the present contract, the cost for garbage collection in this area would be \$9,187.07 per year. This figure is based on 491 single family units in the area at a 1974 cost of \$19.26 per units and 52 apartment units at a 1974 cost of \$19.26 per every two (2) units.

I. SCHOOLS

This area is served by the Fort Wayne Community School System.

#### J. ADMINISTRATIVE COSTS

Included in this category are several departments of the municipality which provides various services, not measurable in terms of dollars and cents.

Examples are:

City Park Board, Traffic Engineering, Civil Defense, Human Relations Commission, Building Departments, Urban Renewal, Board of Health, Planning, Humane Shelter, and smaller departments such as the Traffic Sign Shop.

The costs of the proposed annexation to these departments is difficult to determine since the services they provide are of a more general city-wide nature. Consequently, no estimate is given concerning the cost to these departments. However, all of these services would be available immediately to the area upon annexation to the City. In fact, some of the services are probably already being utilized by the residents of this area, even though they are outside of the Corporate Limits. (The City Park Board is a case in point).

There are other municipal administrative costs which cannot be directly related to the size or demand of an area. These costs include such things as the Mayor's Office, City Council, Attorney's Office, City Clerk, Board of Public Works, and City Controller.

#### IV. Financial Summary:

##### A. REVENUE:

##### I. Assessed Valuation:

Land Value	\$ 899,521
Improvements	<u>4,144,870</u>
Total Tax Base	\$ 5,044,391

City would receive approximately \$3.71 per \$100.00.

EXPECTIVE REVENUE:

	<u>ACTUAL</u>	<u>POTENTIAL</u>
Property Taxes	\$ 187,146.90	\$ 187,146.90
Cigarette Tax*		(5,618.34)
Alcoholic Gallonage Tax*		(2,579.85)
Gasoline Tax*		(17,427.32)
Total Expected Revenue	\$ 187,146.90	\$ 212,773.41

\* There will be no additional revenue received until the 1980 census. Unless a special census is called. Also note cigarette tax would not be affected by special census and only effected by 1980 census.

EXPENDITURES

<u>TO BE SUPPLIED</u>	<u>CAPITAL</u>	<u>OPERATING</u>
Road Maintenance	\$	\$ 7,497.00
Streets	356,577	
Street Lighting	66,950	1,279.80
Sewers	60,000	
Police Protection		66,664.00
Garbage		9,957.42
	\$ 483,527	\$ 85,398.22

SUMMARY:

	<u>ACTUAL</u>	<u>POTENTIAL</u>
Annual Revenue	\$ 187,146	\$ 212,773
Average One Year Expenditure	\$ 96,705 (Capital) <u>\$ 85,398</u> (Operating)	
	<u>\$ 108,103</u>	<u>\$ 182,103</u>
Average One Year Gain (Loss)	\$ 5,043	\$ 30,670
Total 5 Year Expenditure	\$ 483,527 (Capital) <u>\$ 426,990</u> (Operating)	
	<u>\$ 910,517</u>	<u>\$ 910,517</u>
Total 5 Year Gain (Loss)	\$ 25,213	\$ 153,348

These income figures are based primarily on the four (4) major services to be supplied at the cost of the City. This figure would be somewhat less if other administrative costs could be adequately quantified. Also the net income to the City would be increased by \$25,627.00 per annum if we could begin collecting the other revenues upon annexation. Assuming an annexation date of 1/1/75, this would mean a total revenue of \$128,135.00 by 1980.





## THE CITY OF FORT WAYNE

office of city plan commission

April 11, 1974

### COMMUNICATION FROM CITY PLAN COMMISSION

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

At the regular meeting of the Common Council held December 5, 1972, a proposed ordinance annexing territory to the City of Fort Wayne was introduced and referred to the City Plan Commission for study and recommendation. Such proposed ordinance was designated as Bill No. X-72-12-09.

Transmitted herewith is the report of the City Plan Commission as formulated at its regular meeting held March 25, 1974.

It is the recommendation of this Commission that the proposed ordinance does meet the criteria for annexation and that the ordinance be returned to the Common Council with the recommendation that it DO PASS. It is further recommended that this ordinance be so enacted as to become effective January 1, 1975.

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
11th day of April, 1974.

---

George H. Roser  
Secretary

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

IN THE ALLEN SUPERIOR COURT  
CAUSE NO. S-74-3834

IN THE MATTER OF THE ANNEXATION )  
PROPOSED BY ANNEXATION ORDINANCE )  
NO. X-02-74, BEING AN ORDINANCE TO )  
ANNEX CERTAIN TERRITORY TO THE )  
CITY OF FORT WAYNE AND TO INCLUDE )  
SAME IN COUNCILMANIC DISTRICT NO.2 )

AFFIDAVIT OF CHARLES W. WESTERMAN

CHARLES W. WESTERMAN, being first duly sworn, upon his oath,  
deposes and says:

1. That he is the duly elected and acting Clerk of the City of Fort Wayne, and was the duly elected and acting Clerk of the City of Fort Wayne during the years 1972 through 1975.
2. That in said capacity, he is the keeper of the official records of the City of Fort Wayne, including the records of the Common Council of the City of Fort Wayne, and all communications to and from said Common Council.
3. That attached hereto and made a part hereof is a true and correct copy of a communication from the City Plan Commission to the Common Council of the City of Fort Wayne, dated April 11, 1974, and submitted to the Common Council of the City of Fort Wayne, on said date, relative to the annexation of "New Glenwood Park," as appears in the official records of the City of Fort Wayne.
4. That Affiant knows of his own knowledge that said communication was submitted to and considered by the Common Council of the City of Fort Wayne prior to and at the time of its adoption of Annexation No. X-02-74 on

June 11, 1974.

5. Affiant further says, with reference to the scrivener's error in Annexation Ordinance No. X-02-74, which he corrected on July 11, 1974, that the typographical error contained in Section 3 thereof on June 11, 1974, to wit: "January 1, 1974", rather than "January 1, 1976", was not discovered until said Ordinance had been published on June 15 and 22, 1974.

6. That immediately upon discovering the same, Affiant caused said error to be corrected on July 11, 1974, and said corrected Ordinance to be republished on July 13 and 20, 1974.

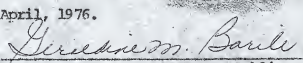
7. That as shown by Section 5 of said Ordinance, which immediately precedes the signature of Vivian G. Schmidt, and which was never changed or altered in any way, it was specifically provided that said Ordinance "shall not take effect until January 1, 1976." and that said Ordinance was approved and passed by the Common Council with that intentment.

8. That since the Ordinance was passed on June 11, 1974, the insertion of an effective date in Section 3 which was more than six months prior thereto and which would result in a retroactive effect, was obviously a scrivener's error.

Further Affiant Saith Not.

  
Charles W. Westerman

Subscribed and sworn to before me, a Notary Public in and for said County and State, this 27th day of April, 1976.

  
Notary Public

My Commission Expires:

2-21-77

# ORDINANCE CHECK-OFF SHEET

## INFORMATION REGARDING ORDINANCE

## CONTENTS OF ORDINANCE

BILL NO.	X - 72-12-09
ORDINANCE NO.	
X REGULAR SESSION	
SPECIAL SESSION	
APPROVED AS TO FORM AND LEGALITY	<i>Logan</i>
BILL WRITTEN BY	<i>L.</i>
DATE INTRODUCED	12-5-72
REFERRED TO SAID STANDING COMMITTEE	<i>Kraus</i> <i>Constitution</i>
REFERRED TO CITY PLAN	
LEGAL PUBLIC HEARING	
LEGAL PUBLICATION	
JOINT HEARING	
DEPARTMENT HEARING	
X HOLD FILE	
PASS	
DO NOT PASS	
WITHDRAWN	
SUSPENSION OF RULES	
PRIOR APPROVAL	
ORDINANCE TAKEN OUT OF OFFICE	
OTHER INSTRUCTIONS REGARDING ORDINANCE	
CORRECTIONS MADE TO ORDINANCE	
PEOPLE SPEAKING FOR ORDINANCE	
PEOPLE SPEAKING AGAINST ORDINANCE	

X	COMMITTEE SHEET
X	VOTE SHEET
	PURCHASE ORDERS
	BIDS
	ORDERS, BIDS OR OTHER PAPERS TAKEN OUT AND BY WHOM
	LETTER REQUESTING ORDINANCE DRAWN UP BY CITY ATTORNEY
	COMMUNICATIONS FROM
	ZONING MAPS
	ABSTRACTS
	TITLES
	PRIOR APPROVAL LETTER

## COUNCILMAN'S VOTE

	AYES	NAYS	ABSENT
BURNS			
HINGA			
KRAUS			
MOSES			
NUCKOLS			
D. SCHMIDT			
V. SCHMIDT			
STIER			
TALARICO			

## COMMENTS:

*Hold file*



CITY OF FORT WAYNE

FORT WAYNE, INDIANA

CHARLES W. WESTERMAN  
CITY CLERK

June 13, 1974

Miss Helen Libbing  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of June 15 and June 22, 1974, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council of  
Fort Wayne, Indiana, Public Legal  
Notice for the following:

Annexation Ordinance No. X-01-74

Annexation Ordinance No. X-02-74

General Ordinance No. G-16-74

General Ordinance No. G-18-74

Please send us six (6) copies of each newspaper of the Publisher's Affidavit.

Thank you.

Sincerely,

Charles W. Westerman

CWW/ne  
ENCL: 4



CITY OF FORT WAYNE

FORT WAYNE, INDIANA

CHARLES W. WESTERMAN  
CITY CLERK

July 11, 1974

Miss Helen Libbing  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of July 13 and July 20, 1974, in both the News Sentinel and Journal Gazette.

RE: Legal Notice For Common Council  
of Fort Wayne, Indiana.

Bill No. X-72-12-08  
Annexation Ordinance No. X-01-74

Bill No. X-72-12-09  
Annexation Ordinance No. X-02-74

Please send us five (5) copies of the Publisher's Affidavit from each paper.

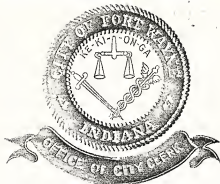
Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Charles W. Westerman". The signature is written in dark ink and is positioned above the typed name and title.

Charles W. Westerman  
City Clerk

CWW/ne  
ENCL: 2



City of Fort Wayne  
OFFICE OF THE CITY CLERK  
ROOM 120, CITY-COUNTY BUILDING  
ONE EAST MAIN ST., FORT WAYNE, INDIANA 46802

CHARLES W. WESTERMAN, CLERK  
TELEPHONE 219-423-7183

COPY

July 11, 1974

Mr. Thomas Thornbury  
5019 Exeter Drive  
Fort Wayne, Indiana 46805

Dear Mr. Thornbury:

Enclosed please find a copy of my communication to Common Council, July 11, 1974, and a copy of an order to the Fort Wayne Newspapers--Journal Gazette and News Sentinel--for a new legal ad that will appear in both newspapers twice: said above action according to legal advice will correct the scrivener's error that you were so kind to call to my attention.

Therefore, this action should place annexation ordinances No. X0174, X0274 in effect 60 days after July 20.

Sincerely Yours,

*Charles W. Westerman*

Charles W. Westerman  
City Clerk

CWW/nb  
Enc1: 2





CITY OF FORT WAYNE

FORT WAYNE, INDIANA

CHARLES W. WESTERMAN  
CITY CLERK

COPY

July 11, 1974

The Common Council of the  
City of Fort Wayne  
Fort Wayne, Indiana

President of Common Council and Mrs. V. Schmidt:

RE: Bill No. X-72-12-09  
Annexation Ordinance No. X-02-74

It has been brought to my attention that a scrivener's error has been made in the entry in the Journal of Proceedings of Common Council of Regular Session, June 11, 1974, regarding above captioned Bill No. X-72-12-09 - Ordinance No. X-02-74.

The scrivener's error is in Section 3 thereof which recited January 1, 1974. The Common Council made this Ordinance effective January 1, 1976 and therefore the Journal entry of June 11, 1974 should be corrected now for then to read as follows:

SECTION 3. That the effective date for this annexation is January 1, 1976.

Accordingly this entry is made and shall be made a matter of record in the proceedings of Common Council in Regular Session, Tuesday, July 23, 1974.

Sincerely,

Charles W. Westerman  
City Clerk

Approved by John H. Logan  
Common Council Attorney

CC: Vivian G. Schmidt  
Mayor Ivan A. Lebamoff  
Samuel J. Talarico - President  
of Common Council



Notice is hereby given that on the 11th day of June, 1974, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-92-74-00: A Resolution, to-wit:

BILL NO. X-92-74-00

ANNEXXATION ORDINANCE NO. X-92-74-00  
AN ORDINANCE annexing certain territory to the City of Fort Wayne and including the same in Councilmatic District No. 2 and redefining certain Annexation Ordinances.

WHEREAS, since the passage of Annexation Ordinance X-92-64, certain annexation statutes were enacted by the 1969 General Assembly of Indiana, which are more effective than prior statutes; and

WHEREAS, the City of Fort Wayne is desirous of annexing the territory covered in Ordinance X-92-64 pursuant to the said 1969 annexation statutes rather than under prior annexation statutes;

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to and made part of the corporation of the City of Fort Wayne, Indiana, to-wit: Parts of West half of Sections 29 and 33, and N.E. 1/4, Section 32 and S.E. 1/4, Section 29, Township 31 North, Range 13 East.

Commencing at the intersection of the North right-of-way line of State Boulevard (Hicksville Road) and the West right-of-way line of Reed Road, said line being the existing corporate limits; thence East on said North right-of-way line of State Boulevard to its intersection with the East line of the West half of Section 33, Township 31 North, Range 13 East; thence North on the East line of the West half of Sections 32 and 33, Township 31 North, Range 13 East, to its intersection with the South right-of-way line of Trier Road; thence West on said South right-of-way line of Trier Road to the intersection of the West right-of-way line of Reed Road; thence South on said West right-of-way line of Reed Road to the North right-of-way line of the aforementioned State Boulevard the point of beginning, excluding the West 81.62 feet of Section 29, Township 31 North, Range 13 East, of Allen County, Indiana, containing approximately 313 acres.

SECTION 2. That said annexed territory shall be part of Councilmatic District No. 2 of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.

SECTION 3. That the effective date for this annexation is January 1, 1974.

SECTION 4. That Annexation Ordinance X-92-64 is hereby repealed.

SECTION 5. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and sixty (60) days after legal publication, but shall not take effect until January 1, 1974.

Vivian O. Schmidt  
Councilman  
Read the third time in full and on motion by Stier, seconded by V. Schmidt, and duly adopted; placed on its passage, PASSED by the following vote:

Ayres: Nine  
Bums, Hingo, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico  
Nays: None

Date: 6-11-74  
Charles W. Westerman  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, on Annexation Ordinance No. X-92-74-00 on the 11th day of June, 1974.

ATTEST: (SEAL)  
Charles W. Westerman  
City Clerk

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of June, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

Approved and signed by me this 12th day of June, 1974, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff  
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a true and complete copy of Annexation Ordinance No. X-92-74-00 passed by the Common Council on the 11th day of June, 1974, and that said Ordinance was duly signed and approved by the Mayor on the 12th day of June, 1974 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 12th day of June, 1974.

Charles W. Westerman  
City Clerk

REGES

es.....1.....columns wide equals.....121.....equivalent lines at.....288¢  
ts per line

31.85

charge for notices containing rule or tabular work (50 per cent of above

extra proofs of publication (50 cents for each proof in excess of two)

2.00

TOTAL AMOUNT OF CLAIM

36.85

G COST

ngle column 11 ems

Size of type.....5½.....point

insertions.....2.....

Size of quad upon which type is cast.....5½.....

on and penalties of Ch. 89, Acts 1967,

e foregoing account is just and correct, that the amount claimed is legally due, after allowing all just of the same has been paid.

*Arvilla De Told*

Title.....CLERK

19.....74.....

# PUBLISHER'S AFFIDAVIT

State of Indiana  
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned.....ARVILLA DEWALD.....who, being duly sworn, says

that she is.....CLERK.....of the

JOURNAL-GAZETTE

a DAILY.....newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy,

which was duly published in said paper for.....2.....time.....S....., the dates of publication being as follows:

6/15-22/74

Subscribed and sworn to before me this 24th day of June, 1974

*Arvilla De Told*  
*Arvilla De Told*

Notary Public

My commission expires.....October 25, 1975.....

Ft. Wayne Common Council  
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

# PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	_____
Head number of lines	_____
Body number of lines	<u>119</u>
Tail number of lines	<u>2</u>
Total number of lines in notice	<u>121</u>

## COMPUTATION OF CHARGES

121 lines, 1 columns wide equals 121 equivalent lines at .288¢ cents per line	<u>\$ 34.85</u>
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	_____
Charge for extra proofs of publication (50 cents for each proof in excess of two)	<u>2.00</u>
TOTAL AMOUNT OF CLAIM	<u>\$ 36.85</u>

## DATA FOR COMPUTING COST

Width of single column 11 ems	Size of type <u>5½</u> point
Number of insertions <u>2</u>	Size of quad upon which type is cast <u>5½</u>

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date June 24, 19 74

Title CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana }  
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE  
a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

6/15-22/74

Subscribed and sworn to before me this 24th day of June, 19 74

Arvilla Dewald  
Notary Public

My commission expires October 25, 1975

COPY OF  
SENT HERE

the Coaches All-America For  
gives prime time coverage  
FOOTBALL SPECIAL. At  
command, 7:30 p.m. CBS.  
volving the whole chain  
It's a good plot device,  
way to Lt. Col. Blake's office.  
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and the dentist wants a three  
gent needs a dental bridge  
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dealing. Hawkeye needs a p  
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amusing episode on the  
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to distortion, 7 p.m. CBS.  
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include Jack Whitaker, N  
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the Flanagan County Jail  
American Golf Classic, but  
two-day coverage of

al number of lines in notice

125

## LEGAL NOTICE

Notice is hereby given that on the 11th day of June, 1974, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-72-12-09, X-72-74 Annexation Ordinance, to-wit:

BILL NO. X-72-12-09

## ANNEXATION

ORDINANCE NO. X-72-74

AN ORDINANCE annexing certain territory to the City of Fort Wayne and including the same in Councilmatic District No. 2, and repealing certain Annexation Ordinance.

WHEREAS, since the passage of Annexation Ordinance X-59-64, certain annexation statutes were enacted by the 1969 General Assembly of Indiana, which are more effective than prior statutes; and

WHEREAS, the City of Fort Wayne is desirous of annexing the territory covered in Ordinance X-72-49 pursuant to the 1969 annexation statutes rather than under prior annexation statutes;

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That the following described territory be and the same is hereby annexed to and made part of the corporation of the City of Fort Wayne, Indiana, to-wit: Parts of West Half of Sections 28 and 30, and N. E. ¼, Section 32 and S. E. ¼, Section 29, Township 31 North, Range 13 East.

Commencing at the Intersection of the North right-of-way line of State Boulevard (Hicksville Road) and the West right-of-way line of Reed Road, said line being the existing corporate limits; thence East on said North right-of-way line of State Boulevard to the Intersection with the East line of the West half of Section 32, Township 31 North, Range 13 East; thence North on the East line of the West half of Sections 31 and 30, Township 31 North, Range 13 East; to the Intersection with the South right-of-way line of Trier Road; thence West on said South right-of-way line of Trier Road to the Intersection of the West right-of-way line of Reed Road; thence South on said West Right-of-way line of Reed Road to the North right-of-way line of the aforementioned State Boulevard the point of beginning, excluding the West 816.6 feet of the North 427 feet of the Southwest ¼ of Section 28, Township 31 North, Range 13 East; of Allen County, Indiana, containing approximately 313 acres.

SECTION 2. That said annexed territory shall be part of Councilmatic District No. 2 of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.

SECTION 3. That the effective date for this annexation is January 1, 1976.

SECTION 4. That annexation Ordinance X-72-68 is hereby repealed.

SECTION 5. This Ordinance shall be in full force and effect from and on the date of its passage by the Mayor, and on sixty (60) days after local publication but shall not take effect until January 1, 1976.

VIVIAN G. SCHMIDT,

City Clerk.

Read the third time in full and on motion by Stier seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine

Burns, Hinga, Kraus, Moses, Nuckols D. Schmidt, V. Schmidt, Stier, Talarico.

Nays: 4-11-74

CHARLES W. WESTERMAN, City Clerk.

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as in and to the Ordinance No. X-72-74 on the 11th day of June, 1974.

ATTEST: (Seal)

Charles W. Westerman

City Clerk.

SAMUEL J. TALARICO,

Presiding Officer.

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of June, 1974, at the hour of 10:00 o'clock A.M., E.S.T.

CHARLES W. WESTERMAN,

City Clerk.

Approved and signed by me this 12th day of June, 1974, at the hour of 2:00 o'clock P.M., E.S.T.

IVAN A. LEBAMOFF,

Mayor.

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-72-74 passed by the Common Council on the 11th day of June, 1974, and that said Ordinance was duly signed and approved by the Mayor on the 12th day of June, 1974 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 12th day of June, 1974.

CHARLES W. WESTERMAN,

City Clerk.

## RGES

es. 1 ..... columns wide equals 125 ..... equivalent lines at 2884  
s per line

\$ 36.00

Charge for notices containing rule or tabular work (50 per cent of above

Extra proofs of publication (50 cents for each proof in excess of two)

1.50

## TAL AMOUNT OF CLAIM

\$ 37.50

## G COST

gle column 11 ems

Size of type. 5 $\frac{1}{2}$  ..... point

insertions. 2

Size of quad upon which type is cast. 5 $\frac{1}{2}$  .....

on and penalties of Ch. 89, Acts 1967,

foregoing account is just and correct, that the amount claimed is legally due, after allowing all just of the same has been paid.

*Arvilla DeWald*

19 74

Title. CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana  
Allen County } as:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

## JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 8, the dates of publication being as follows:

7/13-20/74

Subscribed and sworn to before me this 22nd day of July, 1974.

My commission expires October 25, 1975

Notary Public

Common Council of Ft. Wayne  
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen

County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

123

2

125

## COMPUTATION OF CHARGES

125 lines, 1 columns wide equals 125 equivalent lines at 28¢ cents per line

\$ 36.00

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

1.50

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 37.50

## DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date July 22, 1974

Title CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana }  
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

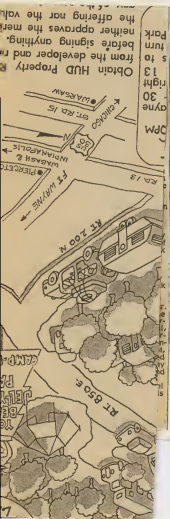
JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time S, the dates of publication being as follows:

7/13-20/74

Subscribed and sworn to before me this 22nd day of July 1974

My commission expires October 25, 1975 Notary Public



Notice is hereby given that on the 11th day of June, 1974, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-72-12-49 X-02-74 Annexation Ordinance, to-wit:

BILL NO. X-72-12-49  
ANNEXATION ORDINANCE NO. X-02-74  
AN ORDINANCE annexing certain territory to the City of Fort Wayne and including the same in Councilmanic District No. 2, and repealing certain Annexation Ordinance.

WHEREAS, since the passage of Annexation Ordinance X-03-86, certain annexation statutes were enacted by the 1969 General Assembly of Indiana, which are more effective than prior statutes; and

WHEREAS, the City of Fort Wayne is desirous of annexing the territory covered in Ordinance X-03-86 pursuant to the said 1969 annexation statutes, rather than under prior annexation statutes;

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, Indiana, that:

SECTION 1. That the following described land and the same is hereby annexed to and made part of the corporation of the City of Fort Wayne, Indiana, to-wit: Parts of West half of Sections 28 and 33, and N.E. 1/4, Section 32 and S.E. 1/4, Section 29, Township 31 North, Range 13 East.

Commencing at the Intersection of the North right-of-way line of State Boulevard (Hicksville Road) and the West right-of-way line of Reed Road; said line being the existing corporate limits; thence East on said North right-of-way line of State Boulevard to its Intersection with the East line of the West half of Section 33, Township 31 North, Range 13 East; thence North on the East line of the West half of Sections 32 and 28, Township 31 North, Range 13 East, to its Intersection with the South right-of-way line of Trier Road; thence West on said South right-of-way line of Trier Road to the Intersection of the West right-of-way line of Reed Road; thence South on said West right-of-way line of Reed Road to the North right-of-way line of the aforementioned Boulevard; the point of beginning, excluding the West 836.6 feet of Section 28, Township 31 North, Range 13 East, of Allen County, Indiana, containing approximately 31.3 acres.

SECTION 2. That said annexed territory shall be part of Councilmanic District No. 2 of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.

SECTION 3. That the effective date for this annexation is January 1, 1974.

SECTION 4. That Annexation Ordinance X-03-86 is hereby repealed.

SECTION 5. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and sixty (60) days after legal publication, but shall not take effect until January 1, 1974.

Vivian G. Schmidt  
Councilman  
Read the third time in full and on motion by Siler, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Nine  
Burns, Hingo, Kröus, Moses, Nuckolls, D. Schmidt, V. G. Schmidt, Siler, Talarico  
Nays: None  
Date: 6-11-74

Charles W. Westernman  
City Clerk  
Read and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-02-74 on the 11th day of June, 1974.  
ATTEST: Westernman  
Charles W. Westernman  
City Clerk

Samuel J. Talarico  
Presiding Officer  
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of June, 1974, of the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westernman  
City Clerk  
Approved and signed by me this 12th day of June, 1974, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebomoff  
Mayor

I, Charles W. Westernman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of the Annexation Ordinance No. X-02-74 passed by the Common Council on the 11th day of June, 1974, and that said Ordinance was duly signed and approved by the Mayor on the 12th day of June, 1974 and now remains on file and on record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 12th day of June, 1974.

Charles W. Westernman  
City Clerk

6-15-22

number of lines in notice

ES

1 columns wide equals 121 equivalent lines at \$288¢ per line \$34.85

large for notices containing rule or tabular work (50 per cent of above

for proofs of publication (50 cents for each proof in excess of two) 2.00

AMOUNT OF CLAIM \$36.85

COST

column 11 ems

Size of type 5 1/2 point

sections. 2

Size of quad upon which type is cast. 5 1/2

and penalties of Ch. 89, Acts 1967,

oregoing account is just and correct, that the amount claimed is legally due, after allowing all just if the same has been paid.

V. E. Gerken

19 74

Title Clerk

# PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned, V. E. Gerken

that, He is Clerk who, being duly sworn, says

NEWS-SENTINEL

DAILY

a newspaper of general circulation printed and published

in the English language in the City of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two

times, the dates of publication being

as follows:

6/15-22/74

Subscribed and sworn to before me this 24th day of June 19 74

Edna C. Runkle

Notary Public

My commission expires October 25, 1975



Fort Wayne Common Council  
(Governmental Unit)To NEWS-SENTINEL Dr.Allen

County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	_____
Head number of lines	_____
Body number of lines	<u>119</u>
Tail number of lines	<u>2</u>
Total number of lines in notice	<u>121</u>

## COMPUTATION OF CHARGES

<u>121</u> lines, <u>1</u> columns wide equals <u>121</u> equivalent lines at <u>.288¢</u> cents per line	<u>\$ 34.85</u>
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	_____
Charge for extra proofs of publication (50 cents for each proof in excess of two)	<u>2.00</u>
TOTAL AMOUNT OF CLAIM	<u>\$ 36.85</u>

## DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ pointNumber of insertions 2Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date June 24, 19 74Title Clerk

## PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County ss:Personally appeared before me, a notary public in and for said county and state, the undersigned, V. E. Gerkenthat he is Clerk of the NEWS-SENTINELa DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANAin state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two

times, the dates of publication being as follows:

6/15-22/74Subscribed and sworn to before me this 24th day of June, 19 74

Notary Public

My commission expires October 25, 1975COPY OF  
SENT HERE

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A letter from the  
delegate Jacob Do  
the Security Coun  
is obliged to provide  
measures to protect  
being attacked in  
Friday,  
raids was  
being attacked in

Body number of lines

123

2

125

# LEGAL NOTICE

Notice is hereby given that on the 11th day of June, 1974, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. 22-2-49, X-42-74, Annexation Ordinance, to-wit:

BILL NO. X-73-12-09

## ANNEXATION

ORDINANCE NO. X-42-74  
AN ORDINANCE annexing certain territory to the City of Fort Wayne and including the same in Councilmanic District No. 2, and repealing certain Annexation Ordinance.

WHEREAS, since the passage of Annexation Ordinance X-42-48 pursuant to the said 1969 annexation statutes, other than under prior annexation statutes; and

WHEREAS, the City of Fort Wayne is desirous of annexing the territory covered in Ordinance X-42-48 pursuant to the said 1969 annexation statutes, other than under prior annexation statutes;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

Section 1. That the following described territory be and the same is hereby annexed to and made part of the corporation of the City of Fort Wayne, Indiana, to-wit:

Parts of West Half of Sections 28 and 33, and N. E. 1/4, Section 32 and S. E. 1/4, Section 29, Township 31 North, Range 13 East.

Commencing at the Intersection of the North right-of-way line of State Boulevard (Ellettsville Road) and the West right-of-way line of Reed Road, said line being the existing corporate limits; thence East on said North right-of-way line of State Boulevard to its Intersection with the East line of the West half of Section 23, Township 31 North, Range 13 East; thence North on the East line of the West half of Sections 33 and 28, Township 31 North, Range 13 East, to its Intersection with the South right-of-way line of Trier Road; thence West on said South right-of-way line of Trier Road to the intersection of the West right-of-way line of Reed Road; thence South on said West Right-of-way line of Reed Road to the North right-of-way line of the aforementioned State Boulevard; the point of beginning, including the West 1/2 of the North 427 feet strip of land in Section 28, Township 31 North, Range 13 East, of Allen County, Indiana, containing approximately 310 acres.

SECTION 2. That said annexed territory shall be part of Councilmanic District No. 2 of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.

SECTION 3. That the effective date for this annexation is January 1, 1975.

SECTION 4. That annexation Ordinance X-42-48 is hereby repealed.

SECTION 5. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and sixty (60) days after legal publication but shall not take effect until January 1, 1975.

VIVIAN G. SCHMIDT, Councilman.  
Read the third time in full and on motion by Site sponsored by V. Schmidt, and duly adopted, placed on its passage, PASSED by the following vote:

Ayes: Nine  
Barns, Hinkle, Kraus, Mazes, Nuckols, D. Schmidt, V. Schmidt, Stry, Talorico, Mayor: None  
Date: 6-11-74

CHARLES W. WESTERMAN, City Clerk.  
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-42-74 on the 11th day of June, 1974.

ATTEST: (Seal) Charles W. Westerman, City Clerk, Samuel J. Talorico, Presiding Officer.

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of June, 1974, at the hour of 10:10 o'clock A.M., E.S.T. CHARLES W. WESTERMAN, City Clerk.

Approved and signed by me his 12th day of June, 1974, at the hour of 2:00 o'clock P.M., E.S.T. IVAN A. LEBAMOFF, Mayor.

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above foregoing is a full and true and complete copy of Annexation Ordinance No. X-42-74 passed by the Common Council on the 11th day of June, 1974, and that said Ordinance was duly adopted and approved by the Mayor on the 12th day of June, 1974 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 12th day of June, 1974.

CHARLES W. WESTERMAN, City Clerk.

ber of lines

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GES

ns..... 1..... column wide equals 125 equivalent lines at .288\$ s per line

charge for: notices containing rule or tabular work (50 per cent of above

xtra proofs of publication (50 cents for each proof in excess of two)

AL AMOUNT OF CLAIM

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Size of type 5 1/2 point

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Size of quad upon which type is cast..... 5 1/2.....

n and penalties of Ch. 89, Acts 1967,

foregoing account is just and correct, that the amount claimed is legally due, after allowing all just of the same has been paid.

*W. E. Gerken*

, 19 74.....

Title..... Clerk

## PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned..... V. E. Gerken..... who, being duly sworn, says

that..... S. he is..... Clerk..... of the

NEWS-SENTINEL

a..... DAILY..... newspaper of general circulation printed and published in the English language in the city } of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for..... two.....

time..... 8..... the dates of publication being as follows:

7/13-20/74

Subscribed and sworn to before me this..... 22nd..... day of July..... 19 74.....

*W. E. Gerken*  
*Emmett C. Rasmussen*

Notary Public

My commission expires October 25, 1975

